

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

GALE R. STREFF,	)	
	)	
Plaintiff,	)	8:04CV253
	)	
v.	)	
	)	
DJLB, DEBRA J. BERRY, and DAVID	)	ORDER
L. BERRY,	)	
	)	
Defendants.	)	
_____	)	

Before the court is the report and recommendation of United States Magistrate Judge Thomas D. Thalken, Filing No. 59. No objection has been filed to the report and recommendation. Pursuant to NECivR 72.3 and 28 U.S.C. § 636(b)(1)(C), the court has conducted a de novo review of the record and adopts the report and recommendation in its entirety.

THEREFORE, IT IS HEREBY ORDERED that:

1. The report and recommendation, Filing No. 59, is adopted in its entirety;  
and
2. The plaintiff's motion to certify the class, Filing No. 35, is conditionally granted.

DATED this 11<sup>th</sup> day of May, 2005.

BY THE COURT:

s/ Joseph F. Bataillon  
JOSEPH F. BATAILLON  
United States District Judge